

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE AMENDING CHAPTER 4, SECTION 4, "CARNIVALS, CIRCUSES, MENAGERIES, SIDESHOWS, CONCESSIONS, AND SPECIAL EVENTS", OF THE CODE OF ORDINANCES OF THE CITY OF COLLEGE STATION, TEXAS, BY AMENDING CERTAIN SECTIONS AS SET OUT BELOW; PROVIDING A SEVERABILITY CLAUSE; DECLARING A PENALTY; AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF COLLEGE STATION, TEXAS:

PART 1: That Chapter 4, Section 4, "Carnivals, Circuses, Menageries, Sideshows, Concessions, and Special Events", of the Code of Ordinances of the City of College Station, Texas, be amended as set out in Exhibit "A", attached hereto and made a part of this ordinance for all purposes.

PART 2: That if any provisions of any section of this ordinance shall be held to be void or unconstitutional, such holding shall in no way effect the validity of the remaining provisions or sections of this ordinance, which shall remain in full force and effect.

PART 3: That any person, firm, or corporation violating any of the provisions of this chapter shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punishable by a fine of not less than Twenty-five Dollars (\$25.00) nor more than Five Hundred Dollars (\$500.00). Each day such violation shall continue or be permitted to continue, shall be deemed a separate offense. Said Ordinance, being a penal ordinance, becomes effective ten (10) days after its date of passage by the City Council, as provided by Section 35 of the Charter of the City of College Station.

PASSED, ADOPTED, and APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2001.

ATTEST:

APPROVED:

\_\_\_\_\_  
CONNIE HOOKS, City Secretary

\_\_\_\_\_  
LYNN McILHANEY, Mayor

APPROVED:

  
\_\_\_\_\_  
City Attorney

## EXHIBIT "A"

That Chapter 4, Section 4, of the Code of Ordinance is hereby amended to read as follows:

**"SECTION 4: CARNIVALS, CIRCUSES, MENAGERIES, SIDESHOWS,  
CONCESSIONS, AND SPECIAL EVENTS**

**A. PERMIT REQUIRED**

It shall be unlawful to operate or conduct within the City any carnivals, circuses, menageries, sideshows, concessions, and special events without first securing a permit therefor.

No gated special event or gated minor event shall be allowed, and no permit shall be issued for any gated special or gated minor event on publicly owned property in the Northgate Zoning Districts NG-1 and NG-3.

**B. DEFINITIONS**

- (9) **Gated Event:** The term "Gated Event" shall mean events which are closed to the general public by fencing, netting or other form of temporary barrier in order to charge a fee for attendance/entrance.
- (10) **Minor Event:** The term "Minor Event" as used in this ordinance shall mean a for-profit or non-profit event to which the public is invited, held on public property, at which less than 250 individuals attend, and held outside the confines of a building or permanent structure. The term includes but is not limited to any meeting, entertainment, performance, show, exhibition, or amusement. The term does not include gatherings for athletic events that are held in facilities designed for athletic events.
- (11) **Northgate:** The term "Northgate" as used in this ordinance shall mean areas within the city zoned NG-1, NG-2, and NG-3.